

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO.: 04-11420-PBS

MARK BROADLEY, )  
Plaintiff, )  
 )  
v. )  
 )  
MASHPEE NECK MARINA, INC., )  
Defendant. )

**Local Rule 16.1 (D)(3) Certification**

This will certify that the Plaintiff, Mark Broadley, and his attorney have conferred about establishing a budget for the cost of conducting the full course - and various alternative courses - of the litigation, and to consider the resolution of the litigation through the use of Alternative Dispute Resolution Programs.

THE PLAINTIFF,

/s/ Mark Broadley  
MARK BROADLEY

COUNSEL FOR PLAINTIFF,

/s/ Thomas M. Bond  
THOMAS M. BOND, ESQUIRE  
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Dated: May 2, 2005